

REMARKS

Entry of this Amendment is proper because it narrows the issues on appeal and does not require further search by the Examiner.

Claims 7-24 are all the claims presently pending in the application.

Applicant gratefully acknowledges that claims 7, 11 and 23 have been allowed. However, Applicant respectfully submits that all of the claims are allowable.

Claims 8-10, 12-22 and 24 stand rejected upon informalities (e.g., 35 U.S.C. § 112, first paragraph). However, Applicant respectfully submits that these claims are fully enabled by the specification, including the drawings.

Firstly, Applicant notes that contrary to the Examiner's allegations, the Office Action dated September 25, 2003 did not reject any of the claims under 35 U.S.C. § 112, first paragraph, but only under 35 U.S.C. § 112, second paragraph. Indeed, nowhere was "35 U.S.C. § 112, first paragraph" ever mentioned by the Examiner in that Office Action. Thus, Applicant's Amendment was fully responsive to the Examiner's rejections in that Office Action.

With respect to the 35 U.S.C. § 112, first paragraph rejection in the Office Action dated April 2, 2004, the Examiner alleges that the specification does not describe "the electrodes, the spacers, the color filter and the switching elements formed on 'irregular surface'".

However, Applicant notes that submitted herewith is a replacement sheet for Figure 7B, which clearly illustrates the surface 102' (which may include surface irregularities) of the glass substrate 102, and surface 101' (which may include surface irregularities) of the glass substrate 101.

In addition, the specification has been amended to more clearly describe Figure 7B. Specifically, the specification at page 13 has been amended to describe "a glass substrate 102 (having a surface 102' which may include surface irregularities) on the TFT side and the pixel electrode 104 and the signal line 103 are formed above the common electrode 106 through a gate insulating film 130", and to describe "an opposing glass substrate 101 (having a surface 101' which may include surface irregularities), which becomes the CF substrate, and a color layer 142".

Therefore, contrary to the Examiner's allegations, Applicant submits that the specification clearly describes "the electrodes, the spacers, the color filter and the switching elements" formed on surfaces of glass substrates which may include surface irregularities. Therefore, the specification clearly enables each of claims 7-24.

The Examiner further alleges that the specification must describe a step of forming the electrodes, spacers, color filter and switching elements on an "irregular surface". Applicant would again point out that the Examiner is clearly being unreasonable.

Indeed, the Examiner for some reason insists on referring to the claims as reciting a "rough surface". Indeed, the Examiner is apparently under the impression that the claimed invention includes glass substrates with surfaces that resemble a cobblestone road. However, nowhere is this strange impression given in the specification and nowhere do the claims recite such a feature.

Applicant suspects that the Examiner may be mislead by Figures 1B and 2B. However, these figures are not intended to suggest an actual size of the surface irregularity. Indeed, this is clearly indicated in the present Application which states, for example, that in Figures 1B and 2B a directional dependency of the substrate thickness is "exaggeratedly shown" (Application at page 3, lines 15-26).

Indeed, one of ordinary skill in the art would readily understand that the a "surface irregularity" formed in a glass substrate would likely be small relative to the size of the substrate. In other words, one of ordinary skill in the art would not expect that the view of Figure 7B would illustrate surface irregularities one the substrate surfaces.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

The Examiner objects to the drawings as not illustrating the features of claims 8, 9, 15, 16, 18, 21 and 24. However, as noted above, Applicant submits herewith a replacement sheet for Figure 7B, which clearly illustrates the surface 102' (which may include surface irregularities) of the glass substrate 102, and surface 101' (which may include surface irregularities) of the glass substrate 101.

Therefore, Applicant submits that the drawings in the present Application clearly illustrate the features claimed herein. Therefore, the Examiner is respectfully requested to withdraw this objection.

In view of the foregoing, Applicant submits that claims 7-24, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

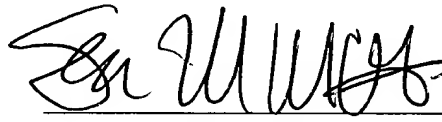
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date:

7/1/04

 34,386

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